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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-sixth session
Agenda item 8

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Mr. Fan, Ms. Ferriol Echevarria, Mr. Fix Zamudio, Mrs. Forero Ucros, Mr. Hatano, Mr. Lindgren Alves, Mr. Maxim and Ms. Warzazi:
draft resolution

Human rights and income distribution

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Reaffirming the indivisibility, interdependence and interrelated nature of economic, social and cultural rights and civil and political rights,

Mindful that the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and a wide range of additional texts provide unequivocally that all persons are entitled to the full realization of economic, social and cultural rights,

Taking note of the Declaration on the Right to Development (General Assembly resolution 41/128 of 4 December 1986, annex),

Recalling paragraph I.10 of the Vienna Declaration and Programme of Action (A/CONF.157/23), in which the World Conference on Human Rights inter alia reaffirmed the right to development as a universal and inalienable

right and an integral part of human rights, and urged States and the international community to promote an effective international cooperation for the realization of the right to development and the elimination of obstacles to development,

Aware that all States have legally binding obligations to respect, protect and fulfil economic, social and cultural rights,

Convinced that education plays a fundamental role for the exercise of human rights and for providing equality of opportunity for all,

Recalling the reports of the Special Rapporteur on the realization of economic, social and cultural rights, Mr. Danilo Türk, in particular his final report, which addressed a range of issues concerning the relationship between the enjoyment of human rights and income distribution (E/CN.4/Sub.2/1992/16, paras. 76-84),

Concerned that the implementation of economic, social and cultural rights in general and the right to education in particular have not yet received sufficient attention within the United Nations human rights framework,

Noting its resolution 1993/40 of 26 August 1993 in which it decided to entrust Mr. Asbjørn Eide with the task of producing, without financial implications, a preparatory document on the relationship between the enjoyment of human rights, in particular economic, social and cultural rights, and income distribution, at both national and international levels, taking also into account matters related to the realization of the right to development, with a view to determining how most effectively to strengthen activities in this field,

Noting also Commission on Human Rights resolution 1994/20 of 1 March 1994, in which the Commission endorsed the decision of the Sub-Commission and encouraged the Sub-Commission to continue to give attention to this issue,

Aware that the relationship between income distribution and growing levels of poverty, as well as the violation of human rights, requires further in-depth research and analysis by the human rights community,

Reiterating the fundamental principles of equality of treatment, human dignity, equity and justice,

Affirming the inherent linkages between the enjoyment of all human rights, in particular economic, social and cultural rights, and the striving towards a more equitable distribution of economic resources both within and between nations,

1. Welcomes the preparatory document on the relationship between the enjoyment of human rights, in particular economic, social and cultural rights, and income distribution, prepared by Mr. Asbjørn Eide (E/CN.4/Sub.2/1994/21);

2. Endorses his conclusion that concentration of wealth constitutes serious obstacles to the realization of human rights, be they economic, social, cultural, political or civil, and that equality of opportunity is an essential element for participating effectively in the processes of development and for obtaining a just share of the benefits from it;

3. Decides to appoint Mr. José Bengoa as Special Rapporteur on the relationship between the enjoyment of human rights, in particular economic, social and cultural rights, and income distribution, at both national and international levels, taking also into account matters related to the realization of the right to development, with a view to determining how most effectively to strengthen activities in this field;

4. Requests the Special Rapporteur to pay particular attention to the impact of the enjoyment of human rights, and that of the right to education in particular, on income distribution;

5. Also requests the Special Rapporteur to submit a preliminary report at its forty-seventh session, a progress report at its forty-eighth session and a final report at its forty-ninth session;

6. Requests the Secretary-General to invite Governments, United Nations bodies, the specialized agencies and intergovernmental and non-governmental organizations to provide the Special Rapporteur with information relevant to the preparation of his report;

7. Also requests the Secretary-General to provide the Special Rapporteur with all the assistance he may require for the preparation of his study.